

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

v. :

MYKAI DAVIS, :

Defendant. :

ORDER

14 CR 768-05 (VB)

By letter dated January 10, 2022, defendant Mykai Davis requests that the Court "grant him the opportunity to serve the last remaining ten percent (10%) of his projected release term on home confinement."

For substantially the reasons set forth in the government's letter in opposition dated February 8, 2022, the request is DENIED.

The Bureau of Prisons has exclusive authority to determine whether Davis should serve his sentence in a correctional facility or in a residential re-entry center or on home confinement. The Court lacks the authority to grant (or deny) the relief requested.

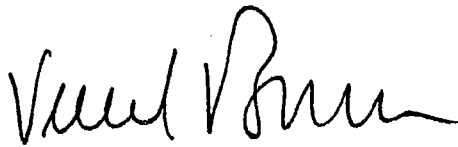
In addition, to the extent Davis's letter can be construed as a renewed compassionate release motion pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), the motion is DENIED. As set forth in the Court's Order dated December 28, 2020, denying Davis's previous such motion, as well as in its Order dated September 7, 2021, denying Davis's motion for reconsideration, Davis has not demonstrated extraordinary and compelling reasons warranting the early termination of his lawfully imposed prison sentence, and the 18 U.S.C. § 3553(a) factors continue to weigh strongly against Davis's early release.

Chambers will mail a copy of this Order to defendant at the following address:

Mykai Davis, Reg. No. 71995-054
USP Thomson
U.S. Penitentiary
P.O. Box 1002
Thomson, IL 61285

Dated: February 14, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge

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2/14/22

Copies Mailed & Filed
Chambers of Vincent L. Briccetti
2/14/22